



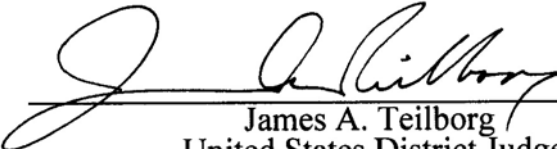
1 Doc. 36.

2 On July 20, 2011, the removing Defendants filed an amended notice of removal. In  
3 the amended notice of removal, Defendants fail to plead the citizenship of Defendant Title  
4 Pro LLC. *See Belleville*, 350 F.3d at 693; *Johnson v. Columbia Properties Anchorage, L.P.*,  
5 437 F.3d 894, 899 (9<sup>th</sup> Cir. 2006) (a limited liability company is a citizen of every state in  
6 which a member is a citizen). Although the removing Defendants state that Title Pro LLC  
7 has not been served, a defendant can not ignore an unserved, nondiverse co-defendant in  
8 seeking to remove a case to federal court based on diversity. *Cripps v. Life Ins. Co. of N.*  
9 *Amer.*, 980 F.2d 1261, 1266 n. 4 (9<sup>th</sup> Cir. 1992) (citing *Clarence E. Morris, Inc. v. Vitek*, 412  
10 F.2d 1174, 1176 (9<sup>th</sup> Cir. 1969)).

11 Because this Court still cannot determine its jurisdiction, and because the Court has  
12 already given Defendants an opportunity to cure the jurisdictional defects in the original  
13 notice of removal,

14 IT IS ORDERED that the case is remanded to superior court due to Defendants failure  
15 to establish federal subject matter jurisdiction; Plaintiff's motions to remand (Docs. 9, 10, and  
16 23) are denied as moot. All other motions (Docs. 7 and 11) remain pending before the  
17 superior court.

18 DATED this 22<sup>nd</sup> day of July, 2011.

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22 James A. Teilborg  
23 United States District Judge  
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